



---

**UNITED STATES PATENT AND TRADEMARK OFFICE**

---

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

August 30, 2005

JAMES C. LYDON  
100 DAINGERFIELD ROAD  
SUITE 100  
ALEXANDRIA, VA 22314  
US

Dear Sir/Madam,

Your refund request for 10518402 in the amount of \$500.00 has been denied .

These funds were refunded to the credit card that they were charged on 5/24/05.

Sincerely,

  
RITA WHITE

PCT - National

703 308-9140 x231

Jun 15 2005 5:03PM HP LASERJET FAX

PATENT MAINTENANCE  
DIVISION  
(703) 838-0447

P.2

RECEIVED  
CENTRAL FAX CENTER  
JUN 15 2005

2005 JUN 17 AM 9:30

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Géraldine MARTIN et al.

Serial Number: 10/518,402

Filed: December 17, 2004

For: METHOD FOR COATING AN ARCHITECTURAL TEXTILE  
WITH AT LEAST ONE LAYER OF A SILICONE ELASTOMER  
USING AN AQUEOUS SILICONE EMULSION AND  
AN ARCHITECTURAL TEXTILE WITH SUCH A COATING

ATTN: Refund Branch  
Accounting Division  
Office of Finance

REQUEST FOR REFUND PURSUANT TO 35 USC § 376

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

June 15, 2005

Sir:

The Patent Office is requested to refund \$500.00, and to credit the refund to our Deposit Account No. 50-1258. The facts supporting this Refund Request follow:

1. This application is a U.S. National Stage of International application PCT/FR03/50012.
2. The 2005 Consolidated Appropriations Act split the National fee for Patent Cooperation Treaty (PCT) applications entering the U.S. National Stage into a separate National fee, search fee and examination fee during fiscal years 2005 and 2006. These fees became effective December 8, 2004.
3. This application, except for the inventors' declaration, was filed on December 17, 2004. The then-current filing fees were paid at that time, specifically including a search fee of \$500.00.

BEST AVAILABLE COPY

U.S. Appln. S.N. 10/518,402  
REQUEST FOR REFUND

**PATENT**

4. A PCT Search Report was provided to the Office at the time the search fee was paid (December 17, 2004).

5. The Patent Office revised its search and examination fees for PCT applications entering the National Stage in the United States on February 1, 2005. See "Revision of Search and Examination Fees for Patent Cooperation Treaty Applications Entering the National Stage in the United States," 70 Fed. Reg. 5053 (February 1, 2005) ("Interim Rule"). Importantly, the changes in the Interim Rule apply to all International applications entering the National Stage under 35 USC § 371 for which the basic National fee specified in 35 USC § 41 is paid on or after December 8, 2004.

6. The Interim Rule states the Office will refund \$100.00 (\$50.00 for small entities) if an International search report on the International application has been prepared and is provided to the Office no later than the time at which the search fee is paid.

7. The Patent Office has erroneously charged an additional \$400.00 against the undersigned's Deposit Account for payment of the National Stage search fee. A copy of the monthly Statement of Deposit Account dated May 31, 2005 is attached showing the erroneous charge.

**ARGUMENT**

This application satisfies the requirements set forth in the Interim Rule for refund of a portion of the search fee. More

U.S. Appln. S.N. 10/518,402  
REQUEST FOR REFUND

PATENT

specifically, the applicants provided an International search report on the International application to the Office no later than the time at which the search fee had been paid.

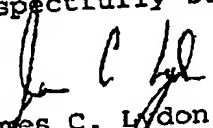
The Patent Office has erroneously charged second National Stage search fee of \$400.00 for this application. Accordingly, a total refund of \$500.00 ( $\$100 + \$400 = \$500.00$ ) should be credited against the undersigned's Deposit Account.

ACTION REQUESTED

The Patent Office is requested to refund \$500.00 of the applicants' search fee to Deposit Account No. 50-1258.

It is not believed any fee is required for entry and consideration of this Refund Request. Nevertheless, the Commissioner is authorized to charge our Deposit Account No. 50-1258 in the amount of any such required fee.

Respectfully submitted,

  
James C. Lydon  
Reg. No. 70,082

Atty. Docket No.: PLAS-028  
100 Daingerfield Road, Suite 100  
Alexandria, Virginia 22314  
Telephone: (703) 838-0445  
Facsimile: (703) 838-0447

Enclosure:  
Monthly Statement of Deposit Account dated May 31, 2005

PATENT MAIL EXPRESS FAX  
JUN 15 2005 5:03PM DIVISION

(703) 838-0447

P. 1

FACSIMILE TRANSMITTAL SHEET

RECEIVED  
CENTRAL FAX CENTER  
JUN 15 2005

2005 JUN 17 AM 9:30 JAMES C. LYDON  
Attorney At Law  
100 Daingerfield Road  
Suite 100  
703 Alexandria, VA 22314

▶▶▶ IF YOU DID NOT RECEIVE ALL PAGES, PLEASE CALL AS SOON AS POSSIBLE ◀◀◀

FACSIMILE OPERATOR TEL. NO.: (703) 838-0445  
DIRECT LINE TO FACSIMILE: (703) 838-0447

TO: Refund Branch, Accounting Division, Office of Finance

FIRM: U.S. Patent and Trademark Office

FACSIMILE NO.: 1-703-872-9306

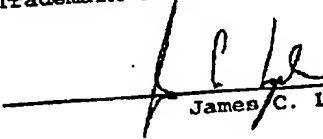
FROM: James C. Lydon

RE: Request for Refund  
U.S. Patent Appln. S.N. 10/518,402  
By: Géraldine MARTIN et al.  
Attv. Case No.: PLAS-028

TOTAL PAGES: 5 including cover sheet.

DATE: June 15, 2005

I hereby certify that this paper is being  
facsimile transmitted to the Patent and  
Trademark Office on the date shown above.

  
James C. Lydon

THIS FACSIMILE IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY NAMED ABOVE (OR THOSE PROPERLY ENTITLED  
ACCESS TO THE INFORMATION) AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL OR EXEMPT FROM  
DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS TRANSMISSION IS NOT THE INTENDED OR AN  
AUTHORIZED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY UNAUTHORIZED DISTRIBUTION, DISSEMINATION, OR COPY  
OF THIS TRANSMISSION IS PROHIBITED.

IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY COLLECT TELEPHONE CALL  
OR BY FACSIMILE. THANK YOU.